

IN THE DRAWINGS

Please replace the originally submitted Chart #2 in Appendix "A" with the replacement Chart #2 submitted herewith.

REMARKS

Reexamination of this application is respectfully requested.

The examiner has objected to the specification under rule 1.71 Title 37 CFR for not being written in full, clear, concise and exact terms as to enable any person skilled in the art to make and use the same. Applicants have submitted the above matter for inclusion in the specification to clarify the fitting process by providing a step-by-step discussion of the process and the use of charts 1A-1C. It should be noted, however, that no new matter has been presented as all of the descriptive material was previously disclosed in the charts and in the specification, particularly in pages 9-13 of the originally submitted specification. It is believed that the submitted specification modifications overcome the objections of the examiner and clarify the selecting and fitting process, a process which is further believed to present a significant improvement over those fitting systems found in the prior art.

Regarding CPM Chart #1, CPM Chart #2, Chart #3 and Chart #4, each of these charts are presently available to any golf club fitters and do not represent inventive contributions to the present invention. Rather, they merely show shaft length to shaft flex comparison which is well-known in the art, and in fact, to clarify the submissions, Chart #2 has been amended to include data taken directly from CPM Chart #1 to make use of those charts easier for a user of the present invention. The amendments to Chart #2 thus present no new matter, and applicants will gladly provide any additional information for the examiner to facilitate issuance of the instant application.

The examiner has rejected claims 1-14 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicants have amended each of the objectionable claims to resolve the cited deficiencies and clarify the scope of the claims, and thus believes the presently amended claims to be acceptable. Applicants particularly note that the examiner has stated that none of the prior art discloses computing a Basic Index as claimed, and therefore each of the claims remaining in the application is believed to be allowable over the prior art.

Regarding claim 8, the examiner has rejected it under 35 U.S.C. 112, second paragraph, as being indefinite, particularly that in line 8, figures are referred to. Applicants are unsure what the

1 examiner is referring to, as they have been unable to discern the objectionable language in the claim
2 as originally submitted. If the examiner would kindly point out the offending language, applicants
3 will gladly modify the claim to render it allowable and they thank the examiner in advance for his
4 assistance.

5 It is thus believed that this invention is deserving of protection, and the granting of such
6 protection is respectfully requested.

7 Applicant is mailing this amendment after expiration of the three month response period but
8 within the third month's extension of time permitted by 37 C.F.R. § 1.136 and accompanied by the
9 fee set forth in 37 C.F.R. § 1.17(a). This application is thus believed to be in condition for allowance
10 of all claims remaining herein, and such action is respectfully requested.

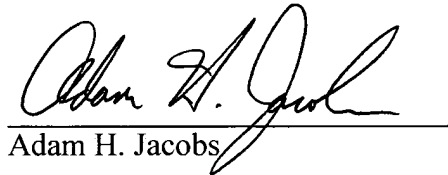
11 Respectfully submitted,

12 

13 Adam H. Jacobs
14 Registration N^o 37,852
15 Law Offices of Adam H. Jacobs
16 1904 Farnam Street, Suite 726
17 Omaha, Nebraska 68102
18 Attorney for Petitioner

19 CERTIFICATE OF MAILING

20 I hereby certify that this Amendment for a GOLF CLUB FITTING SYSTEM, Serial N^o
21 10/761,668, was mailed by first class mail, postage prepaid, to Mail Stop Non-Fee Amendment,
22 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12th day of October,
23 2005.

24 
25 Adam H. Jacobs



SHAFT FLEX

CHART # 2

Irons & Woods

Swing Speed (6 Iron/Driver)	Shaft Flex	150 Yard Club
6 Iron - 95 mph + Dr - 105 +	EXTRA STIFF 7.0 and above	9 Iron
6 Iron - 88-94 mph Dr - 98-104 mph	STIFF 6.4 - 6.9	8 Iron
6 Iron - 80-87 mph Dr - 90-97 mph	FIRM 5.8 - 6.3	7 Iron
6 Iron - 72-79 mph Dr - 82-89 mph	REGULAR 5.0 - 5.7	6 Iron
6 Iron - 64-71 mph Dr - 74-81 mph	SENIOR (A) 4.0 - 4.9	5 Iron
6 Iron - 64-71 mph Dr - 74-81 mph	LIGHT 3.9 or less	4 Iron/Fairway Wood

*Notes:

- Numeric values obtained from CPM Charts #1 and #2
- Consider swing tempo and transition shaft loading
- Distance/Control priorities may affect flex requirements, especially in driver-shaft selection.